

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

GERALD R. MILLER, Trustee,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-09-096-FHS
)	
GORDON PIERCE and)	
GRANT ATKINS,)	
)	
Defendants.)	

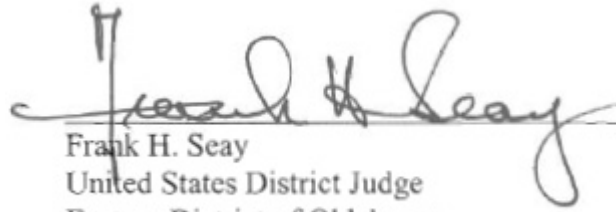
ADMINISTRATIVE CLOSING ORDER

This Court acknowledges the announced settlement of this case stemming from the Settlement Conference conducted November 2, 2009. However, the Court also notes that the withdrawal of the reference from the United States Bankruptcy Court for the Eastern District of Oklahoma was not complete, since one claim remains pending in the bankruptcy court. Additionally, the settlement reached in this case is subject to bankruptcy court approval. As a result, a final judgment cannot be entered in this case at this time. In order to manage this Court's calendar and prevent the unnecessary expenditure of resources by the Court and the parties, this case will be administratively closed pending final approval of the settlement as well as the resolution of the remaining claim.

IT IS THEREFORE ORDERED that the Clerk administratively close this action in his records without prejudice to the rights of the parties to reopen the proceedings for good cause shown, for the entry of any stipulation, order, or judgment, for any other purpose required to obtain a final determination of the proceedings, or for

any purpose designated in the Settlement Agreement between the parties. But, in any event, Plaintiff shall submit a judgment, stipulation of dismissal or other closing document or a status report if the matter pending before the bankruptcy court remains unresolved no later than **DECEMBER 21, 2009**. Should the parties fail to file any of these documents by this date, the case will be deemed dismissed in its entirety.

IT IS SO ORDERED this 9th day of November, 2009.



Frank H. Seay
United States District Judge
Eastern District of Oklahoma